

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**KENNETH JACKSON, an individual;**

**Plaintiffs,**

**vs.**

**MARIA R RICHARD, an individual;  
SAFECO, INSURANCE, a business or  
corporation;**

**Defendants.**

**Civil Action No.:**  
**3:07-cv-962-MEF**

**DEMAND FOR JURY TRIAL**

**COMPLAINT**

The Plaintiff, Kenneth Jackson (hereafter Plaintiff), is an adult resident of Troup County, Georgia. The Defendant, Maria R Richard (hereafter Richard) is an adult resident of Lee County, Alabama who was operating a vehicle in Lee County at the time of this accident. The Defendant Safeco Insurance (hereafter Safeco) is a foreign business or corporation. All of the events made the subject of this lawsuit occurred in Lee County, Alabama. Diversity of Citizenship of citizenship is present, and jurisdiction is proper pursuant to 28 USC § 1332, and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

**FACTUAL ALLEGATIONS**

On or about November 6, 2006, the Plaintiff was operating a vehicle on Wire Road, LEM Morrison Drive and W. Sanford Avenue. At that time, the Defendant Richard was operating a vehicle and collided with the rear end of Jackson's vehicle while he was stopped.

**DAMAGES**

Plaintiff has suffered the following damages and injuries:

- a. Injuries to neck, back and other various parts of his body;
- b. Pain and suffering;
- c. Past, present and future medical expenses;
- d. Loss of enjoyment of life;
- e. Lost wages;
- f. Permanent injuries.

**COUNT ONE**  
**NEGLIGENCE**

1. The Plaintiff realleges all previous paragraphs and further avers as follows:
2. The Defendant Richard, negligently operated her vehicle so as to cause a rear end collision with the Plaintiff's vehicle. The Defendant's conduct constitutes negligence.
3. As a proximate consequence the Plaintiff suffered the damages and injuries as previously described.
4. **WHEREFORE**, the Plaintiff demands judgment of the Defendants for compensatory damages in an amount to be determined by a struck jury, plus interest and costs of court.

**COUNT TWO**  
**WANTONNESS**

1. The Plaintiff realleges all previous paragraphs and further avers as follows:
2. The Defendant Richard, wantonly operated her vehicle so as to cause a rear end collision with the Plaintiff's vehicle. The Defendant's conduct constitutes wantonness.
3. As a proximate consequence the Plaintiff suffered the damages and injuries as previously described.

4. **WHEREFORE**, the Plaintiff demands judgment of the Defendants in an amount to be determined by a jury in compensatory and punitive damages, plus interest and costs of court.

**COUNT THREE**

1. The Plaintiff realleges all previous paragraphs and further avers as follows:

2. The named Defendants negligently or wantonly inspected, maintained and repaired the tractor trailer driven by Richard at the time of the accident made the subject of this lawsuit.

3. As a proximate consequence the Plaintiff suffered the damages and injuries as previously described.

4. **WHEREFORE**, the Plaintiff demands judgment of the Defendants in an amount to be determined by a jury in compensatory and punitive damages, plus interest and costs of court.

**COUNT FIVE**

1. The Plaintiff realleges all previous paragraphs and further avers as follows:

2. The named Defendants negligently intrusted the subject vehicle to the Defendant Richard at the time of the accident made the subject of this lawsuit.

3. As a proximate consequence the Plaintiff suffered the damages and injuries as previously described.

4. **WHEREFORE**, the Plaintiff demands judgment of the Defendants in an amount to be determined by a jury in compensatory and punitive damages, plus interest and costs of court.

Plaintiff further avers that all Defendants, both fictitious and named, are guilty of the above-described causes and/or theories of recovery in a joint and several fashion and each count of the complaint is intended to apply to each of the fictitious and named Defendants to the extent it is applicable to same.



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**Richard F. Horsley**  
**Attorney for Plaintiffs**

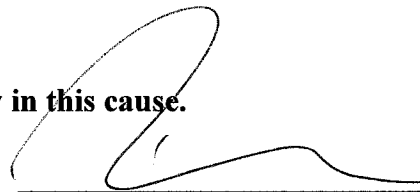
**OF COUNSEL**

**KING, HORSLEY & LYONS**  
**1 Metroplex Drive, Suite 280**  
**Birmingham, Alabama 35209**  
**(205) 871-1310**

**TRIAL COUNSEL:**

**Richard F. Horsley**

**Plaintiffs demand a trial by a struck jury in this cause.**



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**Of Counsel**

**Plaintiff's Address:**

**Kenneth Jackson**  
**c/o Richard F. Horsley, Esquire**  
**KING, HORSLEY & LYONS**  
**1 Metroplex Drive, Suite 280**  
**Birmingham, Alabama 35209**

**Defendant's Addresses:**

**Maria R. Richardson**  
**500 Webster Road, #250**  
**Auburn, Alabama 36832**

**Safeco Insurance**  
**Attention: Glenn Mertes**  
**P.O. Box 515097**  
**Los Angeles, California 90051-5097**

DUPLICATE

Court Name: U S DISTRICT COURT - AL/M  
Division: 2  
Receipt Number: 4602000959  
Cashier ID: cstrecke  
Transaction Date: 10/25/2007  
Payer Name: KING HORSLEY PC

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CIVIL FILING FEE  
For: KING HORSLEY PC  
Case/Party: D-ALM-3-07-CV-000962-001  
Amount: \$350.00

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CHECK  
Remitter: KING AND HORSLEY PC  
Check/Money Order Num: 1493  
Amt Tendered: \$350.00

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Total Due: \$350.00  
Total Tendered: \$350.00  
Change Amt: \$0.00

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KING AND HORSLEY PC

1 METROPLEX DRIVE SUITE 280

BIRMINGHAM, AL 35209